

Amendment No. 1 to HB1423

Harwell
Signature of Sponsor

AMEND Senate Bill No. 1579*

House Bill No. 1423

by deleting all language after the enacting clause of the introduced bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-115-102(9), is amended by deleting the language "competition in which licensed combatants compete" and substituting instead the language "competition or exhibition in which combatants compete", and by deleting the language "event" and substituting instead "or in which at least one of the combatants has previously competed as a professional;".

SECTION 2. Tennessee Code Annotated, Section 68-115-102(11), is amended by deleting the language "combatants" and substituting instead "amateurs, as defined herein,".

SECTION 3. Tennessee Code Annotated, Section 68-115-102 is amended by deleting subdivision (17) in its entirety and by substituting instead the following:

(17) "Permit" means a certification of approval for a contest or event, issued upon receipt of an application and fee that shall be established and collected, pursuant to the rulemaking authority of the commission for professional contests and amateur events;

SECTION 4. Tennessee Code Annotated, Section 68-115-102 is amended by deleting subdivision (20) in its entirety and by substituting instead the following:

(20) "Professional" means a person who competes or has competed in an unarmed combat sport contest for the purpose of a purse or item of value greater than that amount authorized for an amateur event; or any person who has been previously licensed in any other jurisdiction as a professional;

SECTION 5. Tennessee Code Annotated, Section 68-115-102 is amended by deleting subdivision (24) in its entirety, and by substituting instead the following:

(24) "Sanctioning organization" means an organization recognized by the

Tennessee athletic commission that sanctions amateur events of unarmed combat, and is required to comply with all provisions of this act. "Sanctioning organization" may also mean an organization recognized by the Tennessee athletic commission that adopts rules and regulations pursuant to the provisions of § 68-115-213;

SECTION 6. Tennessee Code Annotated, Section 68-115-108 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The commission members shall each receive compensation for their service in the amount of one hundred fifty dollars (\$150) for each day the commission meets, and shall receive reimbursement for expenses incurred in attending meetings of the commission, for attending professional contests, and for travel incident thereto in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 7. Tennessee Code Annotated, Section 68-115-203 is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) The commission or the administrator shall have the authority to employ, as necessary, designated individuals who are qualified to assist ring officials and commission members in the regulation of professional contests. Sovereign immunity shall apply and extend to those individuals or independent contractors who may be employed to assist.

SECTION 8. Tennessee Code Annotated, Section 68-115-205 is amended by deleting subsections (a) and (b) in their entirety and by substituting instead the following:

(a) The commission shall establish a permit application and accompanying permit fee to be charged to promoters of all professional contests of unarmed combat in this state, the failure of which to pay shall be cause for denial of such application. If the commission determines that the bond filed by the promoter pursuant to § 68-115-204 is inadequate for the permit being sought, it may require the promoter to file additional security in an amount and form fixed by the commission prior to the issuance of the

permit.

(b) Every promoter of a professional contest or amateur event of unarmed combat shall obtain a permit from the commission for each contest or event not less than thirty (30) days prior to the date a promoter stages a contest or event, unless some shorter time period is authorized by the commission or administrator.

SECTION 9. Tennessee Code Annotated, Section 68-115-206 is amended by deleting subdivisions (b)(1) and (2) in their entirety and by substituting instead the following:

(b)

(1) All combatants applying for a license under this act shall be required to submit, upon application, proof that a medical examination has been performed and that blood tests have been taken for infectious diseases or for any other purpose required by the commission within thirty (30) days of applying for such license or the renewal thereof.

(2) All combatants who are thirty-five (35) years of age or older shall, in addition to the requirements of subdivision (1), have a neurological examination and submit a medical report within thirty (30) days of applying for a license or renewal thereof.

(3) Any application submitted for a license pursuant this subsection less than thirty (30) days from the date of application must be approved by the commission or administrator prior to the issuance of such license or the renewal thereof. The commission may, in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, charge an additional fee for the review of an application submitted pursuant to this subdivision (b)(3).

SECTION 10. Tennessee Code Annotated, Section 68-115-208 is amended by deleting subsection (f) in its entirety and by substituting instead the following:

(f) When any person fails to make any report and pay the full amount of the reportable tax or fee required by this act, there may be imposed a specific penalty to be added to the tax or fee in the amount of five percent (5%) of such tax or fee if the failure

is for not more than thirty (30) days, with an additional five percent (5%) for each additional thirty (30) days or fraction thereof, during which the failure continues, not to exceed twenty-five percent (25%) in the aggregate. In the case of a false or fraudulent report, or in the case where no report has been filed and there exists a willful intent to defraud the state of the tax or fee due under this act, a specific penalty of one hundred percent (100%) of the tax or fee may be due.

SECTION 11. Tennessee Code Annotated, Section 68-115-210 is amended by deleting the section in its entirety and by substituting instead the following:

§ 68-115-210. The commission or administrator shall assign all ring officials for a professional contest of unarmed combat. Every promoter of a professional contest shall pay for services rendered by such ring officials, and any other fees for services provided pursuant to this act.

SECTION 12. Tennessee Code Annotated, Section 68-115-216 is amended by adding the following as a new, appropriately designated subsection:

() If a complaint is made against a person pursuant to this chapter such complaint shall be made on a commission prescribed form. The form shall be notarized and submitted to the administrator, who shall then present the complaint to the commission to:

- (1) Determine if the complaint warrants further review; or
- (2) Take action against such person based on the complaint.

SECTION 13. Tennessee Code Annotated, Section 68-115-401 is amended by adding the following language at the end of the section:

At least one commissioner shall be in attendance at each professional contest held in the state.

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.